

ASSEMBLY BILL

No. 534

Introduced by Assembly Member Linder

February 23, 2015

An act to add Section 13200.3 to the Vehicle Code, relating to driver's licenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 534, as introduced, Linder. Driver's licenses: suspension of driving privileges.

Existing law requires the driver of a vehicle involved in an accident involving either injury to a person other than the driver, or the death of a person, to immediately stop and fulfill specified reporting requirements. Existing law provides that a failure to fulfill those requirements is a crime. Existing law requires the Department of Motor Vehicles to immediately revoke the driving privileges of a person convicted of a violation of that provision.

Existing law requires the driver of a vehicle involved in an accident involving only damage to property, or a person who parks a vehicle that becomes a runaway vehicle and damages property, to stop, as applicable, and fulfill specified reporting requirements. Existing law provides that a failure to fulfill those requirements is a crime. Existing law authorizes a court to suspend the driving privileges of a person convicted of a violation of that provision for not more than 6 months.

This bill would require a prosecutor who agrees to accept a plea of guilty or nolo contendere from a defendant for a charge of a violation of the latter provision described above in satisfaction of or as a substitute for a charge for a violation of the former provision to state on the record whether the defendant was involved in an accident in which a person

was struck. This bill would require the court to immediately suspend the convicted person's driving privileges for a period of 6 months if the court accepts the plea and the prosecutor's statement states that a person was struck in connection with the accident. By changing the penalty for a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13200.3 is added to the Vehicle Code,
2 to read:

3 13200.3. (a) If the prosecution agrees to a plea of guilty or
4 nolo contendere to a charge of a violation of Section 20002 in
5 satisfaction of, or as a substitute for, an original charge of a
6 violation of Section 20001, the prosecution shall state for the record
7 the factual basis for the satisfaction or substitution, including
8 whether the defendant was involved in an accident in which a
9 person was struck.

10 (b) If the court accepts the defendant's plea of guilty or nolo
11 contendere to a charge of a violation of Section 20002, and the
12 prosecutor's statement under subdivision (a) states that the driver
13 of the vehicle was involved in an accident in which a person was
14 struck, the court shall immediately suspend the convicted driver's
15 privilege to operate a motor vehicle for a period of six months.

16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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